

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

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NEW MEXICO CATTLE GROWERS'  
ASSOCIATION,

Plaintiff,

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY; ANDREW  
WHEELER, in his official capacity as  
Administrator of the Environmental  
Protection Agency; UNITED STATES  
ARMY CORPS OF ENGINEERS; and R.D.  
JAMES, in his official capacity as Assistant  
Secretary for Civil Works, Department of the  
Army,

Defendants.

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Case No. 1:19-cv-988-JHR-SCY

**CONSENT MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT**

Defendants the United States Environmental Protection Agency (“EPA”), Andrew Wheeler, in his official capacity as Administrator of EPA, the United States Army Corps of Engineers, and Ricky James, in his official capacity as Assistant Secretary of the Army for Civil Works (collectively the “Agencies”) request an extension of two weeks to respond to Plaintiff’s complaint. Plaintiff consents to the Agencies’ requested extension. The grounds for this motion are as follows:

1. Pursuant to Federal Rule of Civil Procedure 12(a)(2), the Agencies’ deadline to answer or otherwise respond to the complaint is currently January 17, 2020.

2. The Agencies request that their deadline to respond the complaint be extended by two weeks, to January 31, 2020. The Agencies have not previously requested or obtained an extension of this deadline.

3. There is good cause to grant this motion. *See* Fed. R. Civ. P. 6(b)(1). Counsel for the Agencies are on scheduled leave during the holidays and through early January. The requested extension will provide time the Agencies to coordinate their response to Plaintiff's complaint and allow time for review by government management. No party will be prejudiced by the requested extension.

4. Counsel for the Agencies have conferred with counsel for Plaintiff. Plaintiff consents to the requested extension.

For the foregoing reasons, the Agencies request that the Court grant this motion and enter an order extending the Agencies' deadline to respond to the complaints to January 31, 2020.

Dated: December 27, 2019

Respectfully submitted,

/s/ Erica Zilioli  
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**CERTIFICATE OF SERVICE**

I hereby certify that, on December 27, 2019, I electronically transmitted the foregoing document to the Clerk of Court using the ECF system for filing and transmittal of a Notice of Electronic Filing to registered counsel for all parties.

/s/ Erica Zilioli